

## Message Text

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ACTION ARA-17

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FM AMEMBASSY SAN JOSE  
TO SECSTATE WASHDC 4302

UNCLAS SAN JOSE 2157

E. O. 11652: N/A

TAGS: PFOR, CR

SUBJECT: FOREIGN MINISTER EXPLAINS GOCR CUBANS SANCTIONS POLICY.

SUMMARY: STATEMENT BY FOREIGN MINISTER EXPLAINS THAT GOCR VOTE IN OAS COUNCIL AGAINST LIFTING CUBAN SANCTIONS WAS BASED ON JURIDICAL REQUIREMENT OF 1964 OAS RESOLUTION WHICH REQUIRED TWO THIRDS VOTE FOR SUCH ACTION. HOWEVER, GOCR WANTS THOROUGH REVIEW OF CIRCUMSTANCES WHICH GAVE RISE TO 1964 SANCTIONS RESOLUTION AND IF CUBA IS, AFTER EXAMINATION, FOUND NOT TO BE ENGAGED IN INTERVENTIONIST ACTIVITIES, THE OAS, IN THE MINISTRY'S VIEW, IS OBLIGED TO REMOVE THE SANCTIONS. END SUMMARY.

1. FOREIGN MINISTER DACIO, IN A STATEMENT PUBLISHED FULL TEXT JUNE 14 IN LA NACION, RESPONDED TO A UPI STORY THE PREVIOUS DAY ENTITLED " COSTA RICA BLOCKS PROPOSITION TO RECONSIDER CUBAN CASE". FACIO SAID HE FELT IT WAS NECESSARY TO EXPLAIN THE COSTA RICAN FOREIGN MINISTRY'S POSITION ON THE ISSUE " ONE MORE TIME" AS THE ( UPI) CABLE DID NOT REFLECT REALITY.

2. FACIO'S STATEMENT REFERRED TO THE CUBAN SANCTION RESOLUTION PASSED BY THE OAS IN 1964 WHICH HE SAID, STIPULATED THAT SUCH SANCTIONS WOULD REMAIN IN EFFECT UNLESS REMOVED BY A VOTE OF TWO THIRDS OF THE OAS MEMBERSHIP. FACIO MENTIONS THAT THE MEXICAN GOVERNMENT DECIDED NOT TO ABIDE BY THE OAS RESOLUTION AND, SINCE THEN, OTHER LATIN AMERICAN GOVERNMENTS, NAMELY,  
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CHILE, PERU, BARBADOS, JAMAICA, TRINIDAD, TOBAGO AND ARGENTINA, HAVE DECIDED TO IGNORE ( HACER CASE OMISO) THE SANCTIONS RESOLUTION AND HAVE ESTABLISHED RELATIONS WITH CUBA. HE ADDS THAT THERE ARE OTHER L. A. GOVERNMENTS WHICH WANT TO RENEW RELATIONS WITH CUBA, BUT DO NOT WANT TO DO SO OUTSIDE THE TERMS OF THE 1964 OAS RESOLUTION.

3. FACIO GOES ON TO SAY IT WOULD NOT BE DIFFICULT TO OBTAIN AN OAS MAJORITY IN FAVOR OF ELIMINATING THE SANCTIONS AS CUBA IS CONSIDERED TO HAVE CEASED, DURING THE PAST FOUR YEARS, ITS PRACTICE OF POLITICAL SUBVERSION AND INTERVENTION IN THE INTERNAL AFFAIRS OF OTHER STATES. HOWEVER, FACIO CONTINUES, SEVERAL " VERY CONSERVATIVE GOVERNMENTS' POLICIES MAKE IT IMPOSSIBLE TO PUT TOGETHER A TWO THIRDS VOTE TO ELIMINATE THE CUBAN SANCTIONS. FOR THIS REASON, HE SAYS, SOME GOVERNMENTS HAVE SOUGHT, BY A SIMPLE MAJORITY, TO PASS A RESOLUTION THAT WOULD FREE THEM TO ESTABLISH RELATIONS WITH CUBA.

4. FACIO STATES FLATLY THAT A RESOLUTION PASSED BY A SIMPLE MAJORITY WOULD BE " TOTALLY ILLEGAL WHILE THE SANCTIONS RESOLUTION OF THE NINTH OAS COUNCIL REMAINS IN EFFECT".

5. FACIO SAYS HE FINDS IT STRANGE THAT THE COSTA RICAN VOTE AGAINST THE RECENT PROPOSAL WAS CHARACTERIZED AS " UNEXPECTED". THE COSTA RICAN VOTE, HE POINTS OUT, WAS CONSISTENT WITH THE " JURIDICIAL CRITERIA THAT WE HAVE ALWAYS MAINTAINED NOT TO DISRESPECT AN EXISTING LEGAL MULTILATERAL AGREEMENT". ON THE OTHER HAND, FACIO' S STATEMENT NOTES, THE COSTA RICAN JURIDICIAL POSITION SHOULD NOT BE INTERPRETED TO MEAN A " CLOSED ATTITUDE" ON THE PART OF THE GOCR WITH RESPECT TO THE DESIRE OF SEVERAL L. A. STATES WHICH WANT TO " RECONSIDER THE CUBAN CASE." THE MINISTRY BELIEVES IT IS " NECESSARY AND DESIRABLE TO AGAIN ANALYZE, FULLY AND OPENLY, PREFERABLY AT THE MINISTERIAL LEVEL, THE 1964 SANCTIONS RESOLUTION".

6. THIS ANALYSIS, HE SAYS, MUST EXAMINE WHETHER OR NOT CUBA IS CONTINUING TO PRACTICE THE INTERVENTION AND SUBVERSION WHICH GAVE RISE TO THE SANCTIONS RESOLUTION IN THE FIRST PLACE. HE GOES ON TO SAY THAT IN THE EVENT THIS NEW ANALYSIS SHOWS THAT CUBA HAS CEASED SUCH PRACTICES, " IT WOULD NOT ONLY BE JUST, BUT LEGALLY IMPERATIVE TO LIFT THE SANCTIONS..." IN TODAY' S WORLD,  
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THE STATEMENT POINTS OUT, OF POLITICAL AND IDEOLOGICAL PLURALISM IT WOULD BE " IRRELEVANT AND ILLEGAL" TO TRY TO MAINTAIN SANCTIONS AGAINST CUBA FOR IDEOLOGICAL REASONS. FACIO SAYS, " TO ALLEGE GOVERNMENT IS DANGEROUS TO PEACE IN AMERICA ONLY BECAUSE IT HAS A MARXIST - LENINIST IDEOLOGY IS A SUBTERFUGE THAT IS INCOMPATIBLE WITH THE REDUCTION OF THE COLD WAR AND THE PEACEFUL COEXISTENCE THAT PRESIDENT NIXON HAS SO MUCH STRENGTHENED BY

HIS TRIPS TO MOSCOW AND PEKING, BY HIS POLICY OF NEGOTIATIONS, AND  
BY THE MAGNIFICENT RELATIONS ( HE HAS ESTABLISHED) WITH THE  
GREAT COMMUNIST POWERS".

7. THE FOREIGN MINISTER' S STATEMENT IS BEING FORWARDED TODAY BY  
POUCH TO ARA/ CEN AND USOAS.  
VAKY

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